

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1, 13, 15-20, 24-25, 29-30, 34-35, 39-40, 43, 46, 49, and 52-57 are pending in this application. Claims 1, 13, 15-20, 24-25, 29-30, 34-35, 39-40, 43, 46, 49, and 52 are amended. Claims 2-12, 14, 21-23, 26-29, 31-33, 36-38, 41-42, 44-45, 47-48, and 50-51 are canceled. Claims 53-57 are new.

Information Disclosure Statement

Applicants appreciate the Examiner's consideration of the Information Disclosure Statements filed on July 1, 2008, October 9, 2008, October 28, 2008 and November 14, 2008.

Drawings

Applicants note that the drawings filed November 20, 2003 are accepted.

Priority

Applicants appreciate the Examiner's acknowledgement of Applicants' claim for foreign priority and the indication that all certified copies of the priority documents have been received.

Claim Rejections under 35 U.S.C. § 112

Claims 1, 8, 9, 13, 15 and 16 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner alleges the "physical computer-readable recording medium," recited in claim 1, is not properly described in the application as filed. The Applicants respectfully traverse.

The Applicants submit the specification fully supports a “physical computer-readable recording medium,” as recited in claim 1. For example, FIG. 2 is an example of a “recording medium” which discloses a file system information area, a database area, and an AV Stream Area (see paragraphs [0014] and [0029]). Within the AV Stream Area, MPEG2-formatted stream clip files (*.m2ts) may be recorded (see at least paragraph [0023] of the specification). The Applicants submit one skilled in the art would recognize the recording medium illustrated in FIG. 2 as a “physical computer readable medium.”

Additionally, the Applicants note various other sections of the specification offer support for the “physical computer readable medium” recited in claim 1. For example, paragraph [0013] of the specification states: “Fig. 1 illustrates an exemplary embodiment of a recording medium file or data structure according to the present invention.” Even if the term “recording medium,” as disclosed in paragraph [0013], was interpreted in some broad generic sense, paragraph [0022] clearly states the “recording medium” of FIG. 1 may be a “high-density recording medium such as such as an optical disk.” The Applicants submit that one skilled in the art would know that a “high-density recording medium” is an example of a “computer readable medium.” Furthermore, because a “high-density recording medium” is tangible, it is also physical. Therefore, a “high-density recording medium” is an example of a “physical computer readable medium,” as recited in claim 1.

However, in the interest of further prosecution, Applicants have revised claim 1 to read “recording medium” as directly supported by the specification.

For at least the reasons provided above, the Applicants submit the “physical computer-readable medium” recited in claim 1 is fully supported by the specification.

Accordingly, the Applicants respectfully request the rejection of claim 1, and all claims which depend thereon under 35 U.S.C. § 112 be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 8, 9, 13, 15-20, 24, 25, 29, 30, 34, 35 and 39-52 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kashiwagi et al. (US Publication Number 2004/0179820) in view of Kato (US Publication Number 2004/0213552). The Applicants respectfully traverse.

The Applicants submit claim 1 is nonobvious over Kashiwagi in view of Kato at least because neither reference, alone or in combination, teach, suggest, or disclose a “first clip stream file including at least video data for the still images and **not including audio data.**”

Initially, the Applicants direct the Examiner to FIGS. 16 and 17 and paragraph [0215] of Kashiwagi's disclosure. According to paragraph [0215], Kashiwagi's “video file” represents a file comprising video, audio, and/or still image data. Therefore, Kashiwagi's disclosure teaches “video files” that include audio data rather than a “first clip stream file including at least video data for the still images and **not including audio data.**” as recited in claim 1.

Additionally, the Applicants note that FIG. 17 illustrates the interleaving of encoded video and audio streams St15 and St19 into a system stream St35 (see at least paragraph [0242]). As explained in paragraph [0129] of Kashiwagi's disclosure, the system stream St35 (including both video and audio data) is used by a video zone formatter 1300 to generate a multimedia stream data St43. The multimedia stream St43 is processed by a recorder 1200 to the data stream St45 which in turn is recorded on Kashiwagi's medium M (see paragraph [0130]). Accordingly, Kashiwagi

discloses a clip file that includes audio and video data rather than a “first clip stream file including at least video data for the still images and **not including audio data**,” as recited in claim 1.

Kato discloses clip A/V stream files (see for example, FIG. 12 and paragraphs [0432]-[0435]), however, Kato does not disclose a “first clip stream file including at least video data for the still images and **not including audio data**,” as recited in claim 1. Accordingly, the Applicants submit Kato cannot be relied on for rendering the above feature obvious.

Because neither Kashiwagi nor Kato disclose, at least, a “first clip stream file including at least video data for the still images and **not including audio data**,” as recited in claim 1, the Applicants submit the combination cannot be relied on for rendering claim 1 obvious.

Still further, Applicants submit the combination of Kashiwagi and Kato, alone or in combination, does not teach, suggest, or disclose “the sub-playitem indicating in-point and out-point of the second clip stream file to reproduce audio data and including first sync information indicating the playitem associated with the sub-playitem such that the still images and the audio data are played in synchronization with one another,” as recited in claim 1.

The Examiner alleges that Kashiwagi's VOB#1 (FIG. 16) is a sub-playitem indicating in-point and out-point of another clip stream file to reproduce the audio data. The Applicants respectfully disagree. Kashiwagi's VOB#1 comprises plural groups of pictures (GOP) and the audio and subpictures corresponding to the playback of the plural group of pictures (see paragraph [0238]). Each VOB starts with a navigation pack (NV) which includes control data for the VOB. Kashiwagi does not teach that the navigation pack (NV) provides information for synchronously linking

video data from one clip file and audio data from another clip file, accordingly, Kashiwagi does not disclose or suggest a “the sub-playitem indicating in-point and out-point of the second clip stream file to reproduce audio data and including first sync information indicating the playitem associated with the sub-playitem such that the still images and the audio data are played in synchronization with one another,” as recited in claim 1.

Additionally, the Applicants cannot find a “sub-playitem indicating in-point and out-point of the second clip stream file to reproduce audio data and including first sync information indicating the playitem associated with the sub-playitem such that the still images and the audio data are played in synchronization with one another,” disclosed or suggested by Kato.

Because neither Kashiwagi nor Kato disclose, at least, “the sub-playitem indicating in-point and out-point of the second clip stream file to reproduce audio data and including first sync information indicating the playitem associated with the sub-playitem such that the still images and the audio data are played in synchronization with one another,” as recited in claim 1, the Applicants submit the combination of Kashiwagi and Kato cannot render the above feature obvious.

For at least the reasons given above, the Applicants respectfully request the rejection of claim 1, and all claims which depend thereon, under 35 U.S.C. § 103 as being obvious over Kashiwagi in view of Kato be withdrawn.

For somewhat similar reasons, the Applicants respectfully request the rejection of claims 17 - 20, and all claims which depend thereon, under 35 U.S.C. § 103 as being obvious over Kashiwagi in view of Kato be withdrawn.

New Claims

Claims 53-57 are new and are believed to be allowable at least by virtue of their dependency on their respective base claims.

CONCLUSION

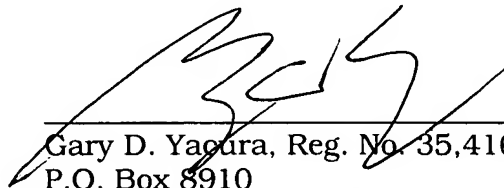
Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims of the present application is earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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